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ABSTRACT

This document contains the constitution and the bylaws of the American Federation of Teachers. The constitution is comprised of 12 articles which deal with the name and objectives of the organization, membership, chartering of state and local units, federation officers, the Executive Council, conventions, representation of state and local units at the convention, revenues to the organization, amendments to the constitution, affiliation with AFL-CIO, referenda, and parliamentary authority governing the federation. The bylaws contain special rules for federation conventions, appointment of the Committee on Credentials for conventions, convention program and procedure, convention committees, nominations and election procedures, the establishment of standing committees, budgets, audits, revenues, and procedures for the suspension of rules and amendment of bylaws. Amendments to the constitution and bylaws which were adopted at the 58th convention in August 1974 are underlined for the ease of the reader who is already familiar with these documents. A brief index to the constitution and to the bylaws is also provided. (HMD)

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CONSTITUTION

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AFT

Correct as of September, 1974

AMERICAN FEDERATION OF TEACHERS
AFL-CIO
1012 14th St. N.W., Washington, D. C. 20005

Chartered 1916

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CONSTITUTION

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Amendments adopted at the 58th Convention, August 19-23, 1974, are underlined.

CONSTITUTION

ARTICLE I

Name

This organization shall be known as the American Federation of Teachers.

ARTICLE II

Objects

1. To obtain exclusive bargaining rights for teachers and other educational workers, with the right to strike.
2. To bring local and state Federations of teachers and other educational workers into relations of mutual assistance and cooperation.
3. To obtain for teachers and other educational workers all of the rights to which they are entitled in a free society.
4. To improve standards for teachers and other educational workers by promoting better preparation, encouraging relevant in-service training, and securing the working conditions essential to the best performance of professional service.
5. To encourage the hiring and retention of competent teachers and other educational workers, the maintenance of modern well-equipped schools, and the promotion of such educational programs and conditions in American schools, as will enable their students to equip themselves better to take their places in the economic, social, and political life of the community.
6. To promote the welfare of children, by providing progressively better educational opportunities for all, regardless of race, color, creed, sex, and social, political or economic status.
7. To fight all forms of bias in education due to race, creed, sex, social, political or economic status, or national origin.
8. To support and promote the ideals of democracy as envisioned in the Constitution of the United States of America, its Bill of Rights and other Amendments, to work for passage and retention of just laws which will improve the educational climate for students, teachers and other workers in education, and to encourage them to exercise their proper rights and responsibilities under these laws.
9. To encourage locals to organize chapters of retired members within their jurisdiction.

ARTICLE III

Membership

Section 1. This organization shall consist of federations of public and private school teachers,

or educational workers organized in conformity with the provisions of this Constitution. Other school employees may be members of any local whose constitution so permits.

Section 2. Classroom teachers with supervisory authority may be admitted to membership by any local whose constitution so permits.

Section 3. Any teacher residing outside of the jurisdiction of an established local may be accepted as a member of the nearest local or as a member-at-large of the State Federation. The State Federation shall have full jurisdiction in the determination of a procedure for participation by these at-large members in all activities of the State Federation.

Section 4. The Executive Council may exercise its discretion in the chartering of groups of teachers in educational institutions not supported by public funds.

Section 5. Locals may establish classes of members which shall consist of retired teachers, or any employees who are eligible for membership whose salary is less than the basic teacher's salary.

Such locals pay per-capita tax for such members at one-half the regular rate; such members shall be entitled to receive full benefits of membership. They shall be counted in determining the delegate strength of the local at any state or national convention, at one-half of the constitutional formula for apportionment of delegate strength.

Retired or part-time teacher members who pay the regular membership dues of the local and for whom the full per-capita tax is paid shall be entitled to full membership rights and privileges.

Section 6. Where a local of the American Federation of Teachers exists in or near a college or university having a department of education, that local may accept prospective teachers as associate members. Annual dues of $2.50 per year shall be paid directly to the National Office by the local for each associate member. Associate members shall have only visitors' privileges at the Convention. A student teacher may also be accepted as a member-at-large of the State Federation.

Section 7. In jurisdictions where there are no college or university locals of the American Federation of Teachers, membership may be granted these individual college and university teachers by a local in that vicinity. Such membership may be maintained until there is chartered a college or university local in which such a member would be eligible to membership.

Section 8. No discrimination shall ever be shown toward individual members or applicants for membership because of race, creed, sex, social, political or economic status, or national origin. Locals may establish procedures for admission of new members except that no discrimination shall ever be shown toward individual members or applicants for membership because of race, creed, sex, social, political or economic status, or national origin.

Section 9. Nothing contained in this article shall permit this organization to admit into membership any organization of nonteaching persons who hold the position of principal or any higher position. This provision shall not be applicable to locals chartered prior to its adoption.

Nothing contained in this article shall permit locals to admit into or retain in membership any nonteaching person who holds the position of principal or any higher position. This provision shall not be applicable to holders of such positions who hold membership in any local prior to the adoption of this article.

The Executive Council may permit locals to admit such persons into membership only where the exclusion of such persons from membership would legally bar a local from achieving exclusive representation for classroom teachers.

ARTICLE IV

Charters

Section 1. Ten or more teachers and/or other educational workers, upon application to the Executive Council, and the payment of $25.00 may be granted a charter, and such locals shall establish and maintain at least a minimum dues of $50.00 per year unless in the opinion of the Executive Council special circumstances exist.

Section 2. Upon application to the Executive Council and the payment of a fee of $25.00, a charter may be issued to ten or more teachers in educational institutions not supported by public funds.

Section 3. Charters may be granted by the Executive Council to State Federations upon the payment of a charter fee of $10.00. A State Federation shall consist of no fewer than three locals of the American Federation of Teachers, except when fewer than three locals represent jurisdictions embracing 50 percent of the teacher strength in the state. No dues shall be assessed on the State Federations by the national organization except for the members-at-large as provided in the Constitution.

Section 4. All locals and State Federations shall submit three copies of their constitution and bylaws to the National Organization within three

months of receiving their charter or of September 1, 1955, whichever is the later date, and they shall similarly submit all subsequent amendments to their constitution and bylaws. No such constitution or bylaws shall be in conflict with the Constitution of the American Federation of Teachers.

Section 5. The charter granted to any local shall not be revoked or suspended because it has a membership of less than ten but not less than seven.

Section 6. A charter issued to any local or State Federation may be suspended or revoked by the Executive Council when the existence of such local or State Federation is detrimental to the development of the democracy in education. However, except for the nonpayment of dues to this organization, no local or State Federation shall have its charter suspended or revoked until the Executive Council has (a) served the local or State Federation with written specific charges, (b) provided the local or State Federation a reasonable time to prepare its defense, (c) afforded a full and fair hearing within the jurisdictions of the local or State Federation.

Except for nonpayment of dues, such suspension or revocation may be appealed to the next National Convention. The appeal shall be the first order of Convention business. The local may present its own case without right to vote. A two-thirds vote of the Convention shall be required to sustain such suspension or revocation.

Section 7. In the event a local's or State Federation's charter is revoked, or the local or State Federation disbands, the balance in the treasury shall be forwarded to the Defense Fund of the American Federation of Teachers.

Section 8. No charter of the American Federation of Teachers which defines or recognizes jurisdiction on a basis of race, creed, sex, social, political or economic status, or national origin, or permits the practice of such jurisdiction, shall be recognized as valid, and the practice of any local in limiting its membership on account of race, creed, sex, social, political or economic status, or national origin shall render its charter void.

Section 9. A Student Federation of Teachers may be chartered in any college or university. There must be a minimum of ten members. Per capita for each member to the National Organization shall be $2.50 payable annually.

A Student Federation of Teachers may be chartered in any high school upon an application of the sponsoring local and payment of not less than $10.00 per year for such organization of at least ten members. Locals may establish reasonable dues for members of the student federation.

The Executive Council shall make such rules and regulations as are necessary for the administration of this section.

Such student teacher members shall have no voting status in either the National or State Federations.

ARTICLE V

Officers

Section 1. The elected officers of the Federation shall be a President and thirty Vice-Presidents. These thirty-one shall constitute the Executive Council. They shall be elected in the even years by the Convention for the term of two years. Vacancies shall be filled as provided in Article VI.

Section 2. The President shall be the chief executive officer of the Federation and administer all of the affairs of the Federation and execute policies of the Federation as determined by the Convention and the Executive Council.

Section 3. A Secretary-Treasurer shall be appointed by the Executive Council. The Secretary-Treasurer shall become an officer of the Federation and shall have a voice but no vote on the Executive Council and its committees. The Secretary-Treasurer's duties shall be prescribed by the Executive Council and he she shall be under the supervision of the President. The Executive Council shall employ the Secretary-Treasurer under written contract for a term of not more than two years ending concurrently with the term of office of the Executive Council which employs him her, with provision for not more than six months' severance pay.

Section 4. No one shall be elected an officer of the Federation unless he she is a member of an affiliated local or a state federation.

Section 5. No Vice-President shall be a full-time salaried employee of the American Federation of Teachers.

Section 6. The delegates to the convention of the American Federation of Labor and Congress of Industrial Organizations, shall be the President and other delegates elected by the annual Convention.

ARTICLE VI

Executive Council

Section 1. It shall be the duty of the Executive Council to obey the instructions of National Conventions, except that any action by the Convention involving expenditure of funds shall be referred to the Executive Council with power to revise in conformity with the budget.

Section 2. The Executive Council may employ

such employees as it shall deem necessary. Administrative employees shall be employed by individual or union contract with provision for orderly dismissal with the right of hearing and counsel available to the employee.

Other employees may be employed by union contract and procedure shall be established in all such contracts for orderly dismissal with the right of hearing and counsel unless otherwise provided in a union contract. The provisions of this section shall not apply to officers of the Federation.

Section 3. The Executive Council shall have the power to designate one of the officers of the Federation to act in place of the President in event of temporary or permanent vacancy of the office during his term.

Section 4. The Executive Council shall set the salary of the President. Such salary shall not be diminished during the President's term in office.

Section 5. The Executive Council shall have the power to fill vacancies in its membership until the next regular Convention.

Section 6. The Executive Council shall have the authority to assign duties and areas of responsibility for each Vice-President.

Section 7. The Executive Council shall have the power to interpret and enforce this Constitution and to make rules not in conflict with this Constitution and shall report such rules to the succeeding Convention for approval or rejection. Any interpretation of the Constitution by the Executive Council may be appealed at any subsequent Convention.

Section 8. The Executive Council shall appoint such committees as it deems necessary, not inconsistent with the Constitution.

Section 9. The Executive Council shall meet at its discretion during the period between Conventions. The expenses of Executive Council meetings shall be paid by the American Federation of Teachers, each member of the Executive Council submitting an expense account to the National Office.

Section 10. The Executive Council shall have authority to deal with all of the affairs of the Federation in the period between the Conventions.

Section 11. (1) The Executive Council may authorize the President to appoint a committee of three members of the Executive Council to conduct an investigation of a local:

(a) upon the appeal of the officers, or of the executive board, or 30 percent or more of the membership of that local,

(b) upon the appeal by a two-thirds vote of the officers and executive board of a State Federation, or by state convention action, or by 30 percent of the locals affiliated with a State Federation, or

(c) upon the appeal of locals representing 30 percent of the membership of the American Federation of Teachers within the state.

The Executive Council may authorize a similar investigation of a State Federation or of disputes between a local or locals and a State Federation upon the appeal of one or more locals of that state. In any of these situations the committee shall conduct an investigation and make a full report, with recommendations to the Executive Council, which shall have full power to take appropriate action to resolve the matter. An appeal from the decision of the Executive Council may be made to the next National Convention, but such appeal shall be only on the issue of sustaining the decision of the Executive Council. One-third of the cost of the investigation shall be borne by the National Office. The Executive Council shall require the initiating party to advance $250.00 before proceeding, but may, in its final decision, assess up to two-thirds of the cost against the parties in such manner as it deems just. At its discretion, the Executive Council may return the $250.00, or any portion of it, advanced by the initiating party.

(2) The Executive Council may, by two-thirds vote of the Executive Council, investigate a local or a State Federation whose conduct is not in harmony with the principles of the American Federation of Teachers and tends to bring the American Federation of Teachers into disrepute or which fails to maintain affiliation with the State Organization. The action of the Council in such cases shall be final unless an appeal is made against the decision to the next National Convention. The cost of such an investigation shall be borne by the National Office.

Section 12. The Executive Council shall have power to accept gifts and devises to the American Federation of Teachers if the conditions or purposes of any such gift or devise are not inconsistent with this Constitution. The Executive Council may establish trusts or other agencies to hold and administer any such gift or devise, and provide for appointment of trustees or managers thereof, upon such conditions as it may determine, subject to ratification at the next regular Convention.

Section 13. The Executive Council shall have the power to carry on all the business affairs of the American Federation of Teachers, including, without limitation, the power to do on its behalf any or all of the following:

(a) To sue and be sued, complain and defend on behalf of and for the use of the Federation;

(b) To employ attorneys and counselors to advise the Convention, Executive Council and the national officers and employees on all matters pertaining to its business and affairs;

(c) To employ accountants, agents, and other persons having skills and knowledge needed in the conduct of the business;

(d) To adopt an official seal, which may be altered at pleasure, and to use the same by causing it or a facsimile thereof, to be impressed or affixed or in any manner reproduced;

(e) To purchase, take, receive, lease as lessee, take any gift; devise, or bequest, or otherwise acquire, and to own, hold, use, deal in or with any real or personal property, or any interest therein;

(f) To sell, convey, mortgage, pledge, lease as lessor, and otherwise dispose of all or any part of its property and assets;

(g) To purchase, take, receive, or otherwise acquire, own, hold, vote, and use shares or other interests in or obligations of domestic or foreign corporations, associations, partnerships, or individuals; and to sell, mortgage, loan, pledge, or otherwise dispose of, such shares, interests, or obligations;

(h) To make contracts and incur liabilities which may be appropriate to enable it to accomplish any or all of its purposes; to borrow money for Federation purposes at such rates of interest and terms and conditions as they may determine; to issue notes, bonds, and other obligations, and to secure any of its obligations by mortgage, pledge, or deed of trust of all or any of its property and income;

(i) To invest the funds of the Federation from time to time in any real or personal property; and to take and hold real and personal property as security for the security of funds so invested or loaned; and

(j) To do anything they deem necessary to appropriate to the exercise of the foregoing power or any other power granted to the Executive Council in this Constitution.

ARTICLE VII

Conventions

Section 1. Conventions of this organization shall be only at such time and in such place as the previous annual Convention or the Executive Council may determine.

Section 2. The members of the Executive Council shall be ex-officio members of the Conventions, but without vote unless credentialed as delegates from their locals.

ARTICLE VIII

Representation

Section 1a. Delegates and/or alternates to the Convention from a local shall be elected by secret ballot. Members of each local must be given suitable opportunity to nominate candidates for the office of delegate and alternate. Notice of the right to make nominations must be sent to each member or given a prominent place in the local publication and on bulletin boards. Notice of the right to make nominations and notice of the election may be combined in one notice. Written notice announcing the time and place of election of delegates must be mailed to each member at least 15 days prior to the election. The results of the election must be published and the ballots kept for one year.

Section 1b. Locals with fewer than 100 members each but in the aggregate fewer than 300 members from a contiguous geographic area may form councils of locals for the exclusive purpose of electing a common delegate to the convention. Locals which form such a council under this section (1) shall adopt a common resolution to establish the council in a regular meeting of such local no later than five months prior to the convention; (2) shall nominate at the same meeting of each local a member or members, if any, for the council's delegate to the convention; (3) shall elect at a meeting of each such local or by mail ballot agreed to by all locals in the council and in conformity with Federal law no later than three months prior to the convention a delegate and alternate, if any, by a secret ballot common to each local in the council listing all nominees and their local numbers, the nominee receiving the highest number of votes totalled among all locals in the council to be the delegate and the second highest, if any, the alternate; (4) shall forward properly signed credentials from each local in the

council for the duly elected delegate and alternate, if any, of the council in time to reach the national office no later than two months prior to the convention; and, (a) the Executive Council shall approve procedures consistent with the requirements of this section for the election of the council delegate. The Secretary-Treasurer shall forward such procedures to all locals reporting fewer than 100 members in per capita and to all state federations seven months prior to the convention. No local participating in the council shall have any other delegates seated in the convention. The voting strength of the council's delegate shall be based on the aggregate of the members in the locals which credential the council's delegate.

This section shall also authorize the Executive Council to recognize a council of locals organized for the convenience of doing business with one employer common to all of the council's locals for the purpose of electing delegates to the convention. Nomination procedures shall be established by such council to permit all such locals to nominate from their respective memberships at least thirty days in advance of the election, which shall be conducted by mail ballot in conformance with Federal law. The election of such council's delegates shall be further subject to the provisions of Article VIII, Section 2 of this Constitution, provided that no other delegates shall be seated in the convention from any individual local of the council unless such local has notified the national office three months prior to convention that it is not participating in such council for the purposes of electing delegates to the convention. The voting strength of such council shall be based upon the aggregate membership of all such locals which individually credential all delegates common to the council.

Section 1c. Delegates and alternates of State Federations shall be elected according to its constitution provided that the delegates to the state convention are themselves elected by secret ballot as herein provided, subject to applicable federal and state laws and rules and regulations promulgated pursuant thereto.

Section 1d. Each local or State Federation must send by registered or certified mail to the National Office a certified list and official credentials of all elected delegates and alternates not later than fifteen days prior to the opening date of the Convention. Only delegates and alternates on this certified list shall be registered and seated at the Convention.

Section 1e. In the event of nondelivery in the National Office of the certified list and official credentials of the elected delegates and alternates, the

Executive Council may recommend the seating of the delegates and alternates only upon the submission by the president, secretary, or ranking delegate of the local or State Federation of a statement certifying the list of elected delegates and alternates accompanied by the duly authorized duplicate credentials and receipts showing that the originals were sent to the National Office by registered or certified mail, postmarked no later than fifteen days prior to the opening date of the Convention.

Section 1f. To be entitled to representation at the Convention, the full per-capita tax of the local and all other monies due the American Federation of Teachers, credited by any amount due the local or the State Federation by the American Federation of Teachers, shall be paid through June 30th, preceding the Convention date, such payment to be made to the National Office no later than fifteen days prior to the opening date of the Convention.

Section 2. One delegate to the annual Convention may be elected by each affiliated local having a membership of twenty-five or less.

For each 100 members or major fraction thereof, one additional delegate may be elected.

Section 3. For the purpose of this article, membership shall mean the average number on which the per capita tax has been paid for the first twelve months of the fourteen-month period immediately preceding the month in which the Convention meets; provided:

(1) That no local in arrears for two months at the time of the Convention shall be entitled to representation.

(2) That, in the case of locals which have been chartered during the year preceding the Convention, the average shall be computed on the basis of the number of months of affiliation, the minimum for such computation to be two.

(3) That, in cases in which the average membership on which a local has paid half per-capita taxes equals or exceeds the average of regular members, 50 per cent of the average membership on which the half per-capita tax has been paid (Article III, Section 5) shall be added to the average of the membership on which the full per-capita tax has been paid and the sum used for the average number on which representation to a state or national convention shall be based.

Section 4. That, in the case of locals which receive fees from nonmembers for representing them under an agency shop agreement, the average number on which the per capita tax has been paid shall be increased by including, as if it were per capita tax, the sum equal to the per capita tax paid as required by Article VIII, Section 1 of the Bylaws.

Section 5. State Federations, upon compliance with Article VIII, Section 1, shall have the right to send delegates to the Conventions of the American Federation of Teachers. Each State Federation may elect one delegate to the annual Convention, regardless of its at-large membership. Additional delegates may be elected by the State Federations, according to their at-large membership, by applying the formula established for locals as set forth in Section 2 of this Article.

All such delegates shall be either members of the State Federation, or its affiliated locals, provided such locals are in full compliance with Section 1 of this Article. All state delegates shall be members of the Convention, with all privileges, and shall be entitled to cast votes for their State Federation pursuant to Section 6 of this Article.

Section 6. Locals entitled to two (2) delegates may not elect more than one (1) who is a full-time, paid, elected official of the local. Locals entitled to more than two (2) delegates may not elect more than one-third who are full-time, paid, elected officials of the local.

Section 7. On all roll calls in the annual Convention, each local represented shall be entitled to a number of votes equal to the average membership as defined in Section 3 of this article.

The votes of a local shall be distributed as evenly as possible among the delegates present at the time of the voting, but votes shall not be fractioned. All additional votes shall be assigned by lot or by an objective formula which has been previously reported to the Secretary-Treasurer of the American Federation of Teachers, with no delegate getting more than one of the additional votes. In the election of officers and delegates to the AFL-CIO Convention, all voting shall be by roll call vote and each local represented shall be entitled to the average membership as defined in Section 3 of this article.

Section 8. When a delegate leaves the Convention, his place in the Convention may be taken by an alternate, if any has been certified as provided in Section 1, Article VIII, and in the order as listed. No other transfer or substitution of voting rights shall be allowed.

ARTICLE IX

Revenues

Section 1. Twenty-five cents (25¢) of each member's per-capita shall be set aside for a Teacher Militancy Fund. The Executive Council shall establish clear guidelines and procedures which guarantee that the benefits available through the fund shall be distributed on an equitable basis. Benefits shall not be provided unless the strike action is in conformity with the AFT strike policy. An annual financial report of the Militancy Fund shall be made to the AFT Executive Council and to the convention.

Section 2. Two cents of each member's monthly per-capita tax shall be set aside for the Defense Fund.

Section 3. The payment of the per-capita tax shall entitle each member to a subscription to the official periodicals of the American Federation of Teachers.

Section 4. State Federations shall pay to the National Office, for each member-at-large the prevailing per-capita tax required for each member of a chartered local.

Section 5. The treasurer of each affiliated local shall fill out and forward to the National Office, on or before the 15th of each month, the report of members in good standing, together with mailing addresses, on the first day of that month, together with all taxes and assessments due the American Federation of Teachers. Locals which have once submitted names and addresses of the members shall revise and correct the membership list with each per-capita payment.

Section 6. Any affiliated local not paying its per-capita tax on or before the 15th of each month shall be notified of the fact by the National Office, and if at the end of three months it is still in arrears, it shall become suspended from membership and can be reinstated only by a majority vote of the Executive Council upon payment of arrearages in full. A local which the Executive Council refuses to reinstate shall have the right to appeal to the next annual convention.

Section 7. The treasurer of each affiliated local shall report monthly to the National Office on blanks furnished by the latter for that purpose, and shall certify that the report is for the full number of members in good standing in the local.

Section 8. The Executive Council shall have power to employ an auditor to examine the books of any affiliated local or State Federation upon the direction of a majority vote of the Executive Council.

Section 9. Beginning January 1, 1971, each local shall submit a financial statement for the local in-

cluding a statement of assets and liabilities and a statement of income and expenses to the AFT Secretary-Treasurer within five months of the end of the fiscal year for the local.

ARTICLE X
Amendments

Section 1. Proposed amendments to the Constitution may be submitted to the annual Convention either by request of the Executive Council, or the Convention or executive council of any State Federation, or by request of a local. All amendments shall bear the signature of at least two elected officers of the federation introducing the amendment. The officers signing the amendment shall certify that the amendment was approved for submission to the Convention by the executive board or membership of the local.

Section 2. Proposed amendments may be submitted to a referendum vote under the procedure set up in Article XII.

Section 3. If a proposed amendment is to be submitted to a National Convention, it must reach the National Office at least five months before the date of the convention and must be sent by the National Office to the locals at least four months before the Convention.

Section 4. The Constitution shall be amended at the Convention by two-thirds (majority) of the votes cast.

ARTICLE XI
Affiliation

Section 1. This organization shall immediately affiliate with the American Federation of Labor and Congress of Industrial Organizations, and shall permanently maintain that affiliation.

Section 2. Effective September 1, 1968, each local union of this organization shall maintain affiliation with its State Federation, and delegate representation of each local in the State Federation shall be no less than the formula delineated in Section 2 of Article VIII of this Constitution. Each State Federation shall, in its convention, follow all voting procedures as delineated in Section 7 of Article VIII of this Constitution.

Section 3. Effective September 1, 1969, each local union of this organization shall maintain affiliation with its AFL-CIO State Labor Council and its local AFL-CIO Labor Council(s), if such council(s) exist. Failure of any local union to maintain the affiliations as required in Sections 2 and 3 of this Article shall be grounds for denial of delegate representation at any state or National Convention of this organization.

ARTICLE XII

Referenda

Section 1. Proposed actions, including amendments to the Constitution and actions of the Convention, shall be submitted to a referendum vote by order of the Convention or of the Executive Council or by request of fifteen (15) or more locals representing not less than fifteen (15) percent of the members then in good standing, or by petition signed by not less than ten (10) percent of the members, except that the Executive Council shall not order a Convention action to be submitted to referendum; provided, however, that in no case shall a referendum be held whose termination date is between June 1 and November 1; and, provided that actions taken by the Executive Council concerning:

(a) actions of the Convention involving expenditure of funds,

(b) the employment, reemployment, or dismissal of officers, organizers, office employees, and other general employees who are appointed and whose salaries or other remuneration are fixed by the Executive Council,

(c) the power to interpret and enforce the Constitution and to make rules and bylaws not in conflict with the Constitution subject to report to succeeding Convention for approval, rejection, or modification,

(d) the power to appoint committees not inconsistent with the Constitution,

(e) the time and place for the meetings of the Executive Council and the expenses involved therein,

(f) the power to fill vacancies on the Executive Council, and

(g) the power to investigate locals

shall not be the subject of referendum; and further provided that action taken by the Convention under authority of the Bylaws, Article VI, governing nominations and elections procedures, shall not be the subject of referendum.

Section 2. After receipt of order or request for referendum, it shall be the duty of the AFT President to transmit the question to be voted on to the locals within two weeks of its receipt by him/her. Following this, there shall be a period of six weeks during which the proponents and opponents shall be given opportunity to debate the issue through the regular channels of the Union, at the end of which time the President shall send to the individual members of all locals in good standing, ballots upon which the members shall cast their votes and

shall also send to the members-at-large of the State Federations, ballots upon which the members-at-large of the State Federations shall cast their votes.

Section 3. The President of the AFT shall rent a postal deposit box. The individual members will mail the ballots to this postal box. The closing date of the referendum shall be 30 days from the date ballots are mailed from the National Office. At the end of 30 days, the President, or the President's representative, accompanied by at least two representatives of each side of the issue on the ballot, shall remove the ballots and cause them to be counted. Ballots received after the opening of the postal box will not be counted. In the alternative, the President, with the consent of the Executive Council, may engage an independent agency to conduct the balloting and to count the votes. In such event the agency shall count only those ballots received during the thirty-day period following the mailing of the ballots to the members.

Section 4. The number of the local shall appear on the ballot and only those ballots of members of locals or of State Federations in good standing shall be counted. These votes shall not exceed in number the number of members and members-at-large for which per-capita was last paid prior to the date on which ballots were sent from the National Office. Should the number of ballots cast by any local or State Federation exceed the number to which that local or State Federation is entitled then the "ayes" and "nays" shall be reduced proportionately to come within the required number.

Section 5. The President shall notify the locals of the results of the referendum as soon as possible, but no later than two weeks following receipt of the count. The President shall also publish the results in the official publication of the American Federation of Teachers.

Section 6. AFT policy adopted by referendum shall not be considered by the first convention following the referendum.

ARTICLE XIII

Parliamentary Authority

The rules contained in *Robert's Rules of Order—Revised*, shall govern this Federation in all cases to which they are applicable and in which they are not inconsistent with rules regularly adopted by the Federation.

BYLAWS

ARTICLE I

Special Rules of Order for Conventions

Section 1. The Convention shall be called to order

and conducted according to the printed program as prepared by the Convention Committee and approved by the Executive Council subject to such modification as the Convention may make from time to time.

Section 2. The Convention shall not adjourn before three o'clock on the fifth day unless all business of the Convention has been finished.

Section 3. Limitation of speeches in debate shall be five minutes instead of ten minutes as provided in *Robert's Rules of Order Revised*, unless time is extended by majority vote of the Convention.

Section 4. A motion calling for a roll-call vote shall require a one-fourth vote for adoption. When a roll-call vote has been ordered, the presiding officer shall at once call for the next item on the agenda, action on the pending motion being automatically postponed pending the tabulation of the results of the roll-call vote. No debate, amendment, or other motion affecting the question on which the roll-call vote was ordered may be made after a roll-call has been ordered. The ballots shall be distributed to the ranking delegates of each delegation under the direction of the presiding officer of the Credentials Committee. (These ballots shall be prepared in advance by the President.) Each delegate voting shall enter on his/her ballot the number of the roll-call, the number of his/her Local, his/her full name, the number of votes he/she is casting, how he/she is voting, and this record shall be included in the Convention proceedings. The ranking delegate shall tabulate the votes of the delegation on a summary sheet and submit the sheet, along with the ballots to the Credentials Committee. If a delegate's ballot is not collected promptly, he/she may deliver his/her ballot directly to the Committee on Credentials. No vote shall be accepted later than one hour following the ordering of a roll-call vote. The results of the roll-call vote shall be tabulated by the Committee on Credentials and reported to the Convention immediately upon completion of the tabulation according to the following procedure:

(a) The total vote shall be read.

(b) If any five delegates request it, the vote by locals shall be read.

(c) If any delegate challenges the vote of his/her local, the roll of delegates from that local shall be read, and each delegate shall rise as his/her name is called, announce his/her vote and state the number of votes he/she is casting.

(d) The report on the roll-call vote shall then be revised to agree with the oral vote just taken.

(e) A copy of the roll-call vote shall be posted

showing the vote of each delegate, and shall remain posted until the end of the Convention.

Section 5. Delegates shall be seated upon acceptance by the Convention of the report of the Credentials Committee and the list of delegates shall be made available to the members of the Convention. The right of any delegate to be seated as a member of the Convention shall be subject to challenge within a twenty-four-hour period after he/she has been declared seated by the Convention. Delegates may vote, unless or until successfully challenged but in the event of a roll-call vote a successful challenge invalidates the individual's vote.

Section 6. In the case of locals represented by fewer delegates than the number of votes to which they are entitled, the votes shall be distributed in accordance with the Constitutional provision (Article VIII, Section 7), and any remaining votes shall be distributed as determined by the delegation.

Section 7. The order of business for business sessions of the Convention shall be as follows:

(a) Report of Committee on Credentials (Credentials Committee shall make supplemental reports at the beginning of each business session of the Convention).

(b) Action on minutes of the previous Convention as summarized in the delegate's reports prepared by the Convention Reporter.

(c) Reports of Officers and Executive Employees.

(d) Report of Executive Council.

(e) Reports of Convention Committees.

(f) Reports of Special Committees.

(g) Installation of Officers.

Section 8. Reports of Officers and Executive Employees given before the seating of delegates shall be referred without debate and without action of the Convention to the appropriate committees.

Section 9. A quorum for the conduct of business at a Convention shall be 25 percent of the delegates who have been seated.

ARTICLE II

Committee on Credentials

Registration of Delegates and Visitors.

Section 1. The Committee on Credentials shall be appointed by the Executive Council and shall be notified of their appointment at least two weeks prior to the Convention. The committee shall con-

sist of at least five members and shall be responsible for registration of delegates, Council members, and visitors.

Section 2. Registration of delegates, members of the Executive Council, and visitors shall begin at 1 p.m. of the day preceding the Convention. Before the time for registration, the President shall furnish the Committee on Credentials with copies of the lists of delegations and the duplicates of credentials as reported to him by the various locals. Each delegate, members of the Executive Council, and visitor shall be furnished with an appropriate official badge to be worn at the Convention.

ARTICLE III

Convention Program

Section 1. The Committee on Convention Program shall be appointed by the Executive Council not later than the midyear meeting of the Executive Council. This committee shall prepare the tentative program of the next Convention and shall submit it to the President at least six weeks before the Convention. The President shall send a copy of the tentative program to each delegate as soon thereafter as possible.

Section 2. The Convention program shall provide for a minimum of six (6) business sessions, including the one for nominations, and shall make available a minimum of six hours for meetings of Convention committees.

Section 3. In setting up the Convention program, reports of Convention committees shall be scheduled to begin not later than the afternoon session of the second day of the Convention.

ARTICLE IV

General Convention Procedure

Section 1. The Convention shall convene at the time and place determined by the Executive Council but in no event prior to July 5 nor later than August 25.

Section 2. In case any motion is passed that any Convention address be mimeographed or printed, the maker and seconder of the motion shall constitute a committee to secure the address in printable form and to submit it to the President.

Section 3. Only credentialed delegates and members of the Executive Council shall be admitted to the Convention floor except invited guests who are participating in the program of the Convention. All visitors shall secure a pass from the Credentials Committee, and shall be seated only in a special section reserved for them.

Section 4. Resolutions to the Convention may be introduced by locals, State Federations or the Executive Council of the American Federation of Teachers. No resolution shall be introduced later than six weeks prior to the opening of the Convention except by two-thirds vote of the Convention. All resolutions shall bear the signature of at least two elected officers of the federation introducing the resolution. The officers signing the resolution shall certify that the resolution was approved for submission to the Convention by the executive board or membership of the local, or by the executive board or convention of the State Federation, or by the Executive Council of the American Federation of Teachers. The resolution shall contain the title and shall be submitted to the President of the American Federation of Teachers in typewritten form, in quadruplicate. Resolutions so submitted shall be mailed from the AFT National office to locals and State Federations prior to the Convention.

Section 5. The President or presiding officer of the Convention shall appoint an appropriate number of ushers whose duty it shall be to see that only persons entitled to admission shall be admitted to the Convention hall. The ushers shall see that visitors are seated in the section assigned to them. They shall assist the presiding officer in such other ways as may be directed.

Section 6. The Constitutional Amendments Committee shall be heard in full prior to other committee reports.

Section 7. Each other committee shall select the resolutions or business it considers most important. At the end of an hour of each committee's partial report, debate shall be closed and all pending questions shall be put to a vote immediately unless the time of debate is extended by majority vote of the Convention. After all committees have had an opportunity to make their first reports, additional committee reports may be made in the order selected by the President.

Section 8. Resolutions upon which no action has been taken shall die when the Convention adjourns.

Section 9. A copy of the rules should be provided for delegates and visitors upon convention registration and should be voted on at the opening session on the first day of the convention.

ARTICLE V

Convention Committees

Section 1. Convention committees shall be appointed by the Executive Council. In appointing such committees, the Council shall give considera-

tion to the expressed choices of delegates as indicated on the Committee Choice cards, which shall be sent by the President to each delegate promptly upon receipt of credentials. However, the Council shall not be bound by the Choice cards, but shall give equal weight and consideration to service on standing committees and to the proper balancing of committees. Members of standing committees who are delegates shall be appointed to the corresponding Convention committees so far as feasible in order to coordinate the work of Convention and standing committees.

Section 2. A delegate interested in a specific problem of a resolution shall have an opportunity to present his viewpoint to the appropriate committee at a time designated by the committee chairman.

Section 3. Changes in assignments of delegates to committees shall be made only by a committee of the Executive Council upon application. Such application shall include a written statement of the reason for desiring the change. No change shall be made after 5:00 p.m. on Monday, the first day of the Convention.

Section 4. Reports of Convention committees shall be received at the time designated in the printed program or as designated by the Convention. Reports shall be made in the order assigned by the chairman of the Convention Committee and the President who shall make such assignments upon application by the chairmen of committees except as the Convention may desire to receive reports in a different order.

Section 5. Debate in committees may be limited by a two-thirds vote of the committee.

ARTICLE VI

Nominations and Election Procedures

Section 1. All nominations of officers and delegates to the AFL-CIO Convention shall be by petition signed by at least two delegates and presented to the Secretary-Treasurer no later than 9:00 a.m., on the third day of the Convention. Declination of nominations shall be made prior to 10:00 a.m. on the same day. Candidates shall be introduced to the Convention at 10:00 a.m. on the same day, with the option of making a two minute speech of acceptance.

Section 2. Balloting for election of officers shall take place from 5:00 p.m. until 7:00 p.m. of the third day of the Convention under the supervision of the Elections Committee. No other official business of the Convention shall be conducted during balloting. Only delegates who are seated by 5:00 p.m. of the second day of the Convention may vote in the election.

Section 3. A majority of the ballots cast for the office of the President shall be required to elect the President. In the event that no candidate for President receives a majority, a run-off election between the two candidates receiving the highest number of votes shall be conducted by roll-call vote.

Section 4. Vice Presidential candidates receiving the highest number of votes corresponding to the number of positions to be filled shall be declared elected. In the event that there is a tie for the final positions, a run-off election for that position between the tied candidates shall be conducted by roll-call vote.

ARTICLE VII

Standing Committees

Section 1. The standing committees shall be established and appointed by the Executive Council not later than the midyear meeting of the Council each year. The presiding officer and as many members of standing committees as possible shall be appointed at the post-Convention meeting of the Council.

Section 2. As a matter of policy the Executive Council shall endeavor to maintain continuity of personnel of standing committees.

Section 3. Each standing committee shall make a written report for submission to the appropriate Convention committee.

Section 4. In addition to the standing committees established and appointed by the Executive Council, there shall be a standing Committee Against Racism in Education. The Executive Council shall appoint the chairman and other members of the Committee which shall perform the following functions:

(a) Coordinate and aid local and regional conferences on racism in education, and work with locals to help establish effective local Committees Against Racism in Education.

(b) Evaluate textbooks and develop curriculum materials for use by teachers in correcting the omissions and distortions of history especially regarding the role of the Afro-American and other minority groups.

(c) Evaluate existing local contracts with regard to provisions for the teaching of Afro-American history and the elimination of racism in education.

(d) Conduct an annual summer workshop on racism in education and the teaching of Afro-American history and culture.

The Committee shall submit a report of its activities to the annual Convention and a copy shall be sent to each local.

ARTICLE VIII

Per Capita, Budget, and Audits

Revenues

Section 1. Effective January 1, 1975 each affiliated local shall pay directly to the National Office for each member a per capita of $2.10 per month. Effective January 1, 1975 the National Office shall pay back directly to the office of each State Federation for each member of the state a per capita of 20¢ per month.

Where a local receives fees from nonmembers for representing them under an agency shop agreement, it shall pay to the National Office a sum equal to the per capita tax for all such nonmembers, and shall also pay to the State Federation of teachers a sum equal to the per capita of the State Federation for all such nonmembers. Effective September 1, 1972, each affiliated local that has members within a unit where the bargaining rights have been won by other teacher organizations and where the other organization has obtained an agency shop clause in the contract, the local shall pay per capita tax at one-half the regular rate on those members required to pay agency fees to another organization.

Section 2. The budget shall be prepared and adopted by the Executive Council at the post-Convention meeting and shall be subject to subsequent revision when needed.

Section 3. It shall be the responsibility of the Executive Council to cause the auditing of the financial records of the organization annually and to submit said audits to each Convention.

Section 4. Proposed changes in per capita must be sent to the National Office at least five months before the date of the convention and must be sent by the National Office to the locals at least four months before the convention.

ARTICLE IX

Suspension of Rules and Amendment of Bylaws

Section 1. The special rules of order contained in Article I of these Bylaws may be suspended by a two-thirds vote in the same manner as provided by *Robert's Rules of Order—Revised*, for the suspension of all regular rules of order.

Section 2. The Bylaws may be amended by the same procedure as in Article X, Sections 1 through 3, of the Constitution. All such amendments shall require a majority vote for their adoption except those relating to Bylaws which themselves require more than a majority vote, in which case the same vote shall be required to adopt the amendment as required by the Bylaws to be amended.

TABLE OF ORGANIZATION

BEST COPY AVAILABLE